

### **REMARKS**

Claims 2-4, 6-12 and 14 are pending in the present application. Claims 6-8 are withdrawn from consideration. Claims 2-4 and 9-14 are rejected. Claims 2, 13 and 14 are herein canceled. Claims 4, 6 and 12 are herein amended. New claims 16-24 are herein added, which correspond to claim 3 (new claim 17), 4 (new claim 16), 6 (new claim 22), 7 (new claim 23), 8 (new claim 24), 9 (new claim 18), 10 (new claim 19), 11 (new claim 20) and 12 (new claim 21). No new matter has been presented.

Applicants further include amendments to currently withdrawn claim 6 that should allow it to be rejoined in the present application. The amendments to claim 6 essentially import all of the limitations from previously pending claim 4. Applicants respectfully request its rejoinder.

### **Claim Objections**

Claim 12 is objected to because the phrase “polarizing plate” should be substituted for the recitation of “adhesive for polarizing plate” because claim 12 depends on claim 4.

Applicants include this change herein.

### **Claim Rejections - 35 U.S.C. §103**

Claims 2-4 and 12-13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Matsumoto2 (JPO Website Machine English Translation of JP 07-134212) in view of Matsumoto5 (U.S. 7,136,225), as evidenced by Asai (JPO Website Machine English Translation of JP 07-268300).

The Examiner concludes that it would have been obvious to have used a polyvinyl alcohol that has an acetoacetyl group, in place of the unmodified polyvinyl alcohol, as the polyvinyl alcohol-based resin in the adhesive for polarizing plate of Matsumoto2, in order to obtain improved water-resistance, as taught by Matsumoto5, as evidenced by Asai.

Claims 9-11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Matsumoto2 in view of Matsumoto5, as evidenced by Asai, as applied to claims 2-4 and 12-13 above, and further in view of Saiki (U.S. 2002/0075428).

Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Matsumoto2 in view of Matsumoto5, as evidenced by Asai, as applied to claims 2-4 and 12-13 above, and further in view of Kitamura (JPO Website Machine English Translation of JP 07-198945).

The Examiner concludes that it would have been obvious to have used a compound having a methylol group as the crosslinking agent in the adhesive for polarizing plate of Matsumoto2, as modified by Matsumoto5, in order to obtain the desired crosslinking behavior, as taught by Kitamura.

The Examiner notes Applicants' Declaration under 37 C.F.R. §1.132 filed May 1, 2009, but asserts that the Declaration is not persuasive. The Examiner asserts that the demonstration of unexpected results by the Declaration is not deemed to be commensurate with the scope of the present claims.

The Examiner asserts that the demonstration of unexpected results in the Declaration for the combined weight range of the crosslinking agent in the adhesive composition comprising polyvinyl alcohol-base resin having an acetoacetyl group, and the thickness range of the adhesive layer is *only* shown for the combination of a crosslinking agent from the group of glyoxal and a compound having a methylol group, with a polyvinyl alcohol-based resin having a combination of:

- (i) an acetoacetyl group with an acetoacetylation degree of about 5 mole %;
- (ii) a saponification degree of about 98.5%; and
- (iii) an average polymerization degree of about 1200.

Applicants herein present new claims 16-24, which correspond to claim 3 (new claim 17), 4 (new claim 16), 6 (new claim 22), 7 (new claim 23), 8 (new claim 24), 9 (new claim 18), 10 (new claim 19), 11 (new claim 20) and 12 (new claim 21), all including the limitations noted above by the Examiner. Applicants submit that such claims, even according to the Examiner, are supported by the previously submitted data as having demonstrated unexpectedly superior results. Therefore, Applicants submit that the rejection of these claims has been overcome.

Furthermore, while claims 22, 23 and 24 generally correspond to previously pending claims 6, 7 and 8, they have been changed so as avoid the subject matter previously withdrawn from consideration.

With respect to claims 4 and claims dependent therefrom, Applicants herein amend claims 4 and 6 to clarify the invention. Thereafter, Applicants respectfully disagree with the rejections because not all of the claimed limitations are taught or suggested by the cited references, alone or in combination.

Claim 4 as presently amended limits the crosslinking agent to a compound having a methylol group. On the other hand, Matsumoto<sup>5</sup> merely discloses glyoxal as the crosslinking agent.

The Examiner point out that Kitamura (JP07-198945) exemplifies a compound having a methylol group. However, since Kitamura describes in paragraph [0024] that “the content exceeding 30 parts by weight makes the working life short and the excellent adhesiveness of the present invention cannot be obtained,” Kitamura teaches away from the presently claimed ratio of the crosslinking agent of claim 4. Accordingly, Applicants submit that there is no shown prompting for one skilled in the art to have used the crosslinking agent as claimed in the amounts as claimed.

Applicants further reassert non-obviousness of the present invention due to the unpredictable effect of claim 4 (and claim 6) based on the Affidavit as previously submitted.

Applicants note that although Matsumoto et al. (U.S. 7,136,225) describes acetoacetylated polyvinyl alcohol and a range covering the thickness of the adhesive layer of claim 4 (1 to 95  $\mu\text{m}$ ), Matsumoto et al. does not specifically disclose use of acetoacetylated polyvinyl alcohol at the thickness of the adhesive layer of 1 to 95  $\mu\text{m}$  or the ratio of the crosslinking agent of the amended claim 4. Applicants submit that the effect of the present

invention understood from the Affidavit based also on these respects would not have been predictable.

Applicants also note the unexpected selectivity of the crosslinking agent, demonstrated in the specification and in the previously submitted Affidavit.

Finally, Applicants herein amend claim 4 (and claim 6) to limit the degree of modification by the acetoacetyl group of from 2 to 7 mol %, the saponification degree of from about 85 to 100 mol.%, and an average degree of polymerization of from about 100 to about 3,000. Such claim amendments render the previously submitted results and discussion in the Declaration under 37 C.F.R. §1.132 filed May 1, 2009 as commensurate with the claims. Applicants note such limitations in the originally filed specification, and submit that the ranges are supported as providing unexpected results in the above-noted Declaration.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

Application No. 10/542,930  
Attorney Docket No. 052805

Amendment under 37 C.F.R. §1.111  
Amendment filed October 22, 2009

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

/KENNETH H. SALEN/

Kenneth H. Salen  
Attorney for Applicants  
Registration No. 43,077  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

KHS/adp